

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION
AND LIABILITY ACT

14-14C. Administrative Actions through Consent Orders

1. **AUTHORITY.** After giving notice to the affected State, to take administrative action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Sections 104, 106, and 122, including, but not limited to, issuing such orders on consent as may be necessary to protect public health and welfare and the environment.
2. **TO WHOM REDELEGATED.** Regional counsel.
3. **LIMITATIONS.**
 - a. This authority does not include recovery of response costs under CERCLA Section 122(h) or settlements with de minimis parties under CERCLA Section 122(g).
 - b. The delegated official should exercise this authority consistent with the most recent version of the "OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart," or successor documents, as appropriate.
 - c. The delegated official must obtain the concurrence of the director or designee, Superfund and Emergency Management Division, before exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the section chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.**

- a. Applicable U.S. Environmental Protection Agency guidance and directives.
- b. Authority to enter into or exercise EPA concurrence authority for non-judicial cost recovery agreements or administrative orders under CERCLA Section 122(h) is delegated in Delegation 14-14D, "Cost Recovery Non-Judicial Agreements and Administrative Consent Orders."
- c. Authority to enter into or exercise agency concurrence authority in de minimis settlements under CERCLA Section 122(g) is delegated in Delegation 14-14E, "De Minimis Settlements."



Debra H. Thomas
Acting Regional Administrator

APR 30 2019

Date